

PTO/SB/02 (07-03)

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<b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>		<b>Docket Number (optional)</b> T068 / TELNP120USA
I hereby declare that:		
The residence, mailing address and citizenship of the inventors are stated below.		
I am authorized to act on behalf of the following assignee: <u>Symbol Technologies, Inc.</u>		
and the title of my position with said assignee is: <u>Corporate Counsel</u>		
The entire title to the patent identified below is vested in said assignee.		
Inventor <u>James M. Cisar</u>	Citizenship <u>United States</u>	
Residence/Mailing Address <u>8770 North Kane Road, Wadsworth, Ohio 44281</u>		
Inventor	Citizenship	
Residence/Mailing Address		
<input type="checkbox"/> Additional inventors are named on separately numbered sheets attached hereto.		
Patent Number <u>5,931,873</u>	Date of Patent Issued <u>August 3, 1999</u>	
Title of Invention <u>PROGRAMMABLE MOBILE DEVICE WITH THUMB WHEEL</u>		
I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:		
the specification of which		
<input type="checkbox"/> is attached hereto.		
<input checked="" type="checkbox"/> was filed on <u>August 2, 2001</u> as reissue application number <u>09 / 921,103</u>		
and was amended on _____ (if applicable)		
I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.		
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.		
<input type="checkbox"/> I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.		
I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)		
<input type="checkbox"/> by reason of a defective specification or drawing.		
<input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.		
<input type="checkbox"/> by reason of other errors.		

(Page 1 of 2)

This collection of information is required by 37 CFR 1.176. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SS/52 (07-03)

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**REISSUE APPLICATION DECLARATION BY THE ASSIGNEE**

Docket Number (Optional)

At least one error upon which reissue is based is described as follows:

One of the reasons upon which reissue is based is due to the patentee failing to claim subject matter relating to a portable device comprising a housing, a bar code reader, and a thumb wheel a thumb wheel adapted to facilitate user interaction with the portable device, the thumb wheel including a wheel portion rotatable about an axis, the wheel portion being selectively rotatable about the axis to facilitate a user selecting at least one function from a plurality of functions displayed on the display, and at least a portion of the thumb wheel extending from the housing, the wheel portion being transversally moveable and wherein transaxial movement of the wheel portion initiates selection of the at least one function as set forth in newly added claim 23. This failure caused the patentee to claim less than he had the right to claim in the patent. This subject matter is shown in Figure 1 and is discussed in the patent, for example, at column 3, lines 27-30 and column 4, lines 42-28.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint:

☐ Practitioners at Customer Number: 

OR

☒ Practitioner(s) named below:

Name	Registration Number
Himanshu S. Amin	40,894
Jeffrey R. Sadlowski	47,914

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:

☐ Customer Number: 23623

OR

☒ Firm or Individual Name

Himanshu S. Amin

Address

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Country

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)

Signature

Glenn Frankenberges

Date

10/23/03

Address of Assignee

One Symbol Plaza, Holtsville, New York, 11742

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PTO/SB/55 (05-03)

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**REISSUE PATENT APPLICATION  
STATEMENT AS TO LOSS OF ORIGINAL PATENT**

Docket Number (Optional)

T068/ TRLNP120USA

I hereby state that:

I am the applicant for a reissue patent based on the original patent identified below.

Name of inventor(s)/Assignee(s)

James M. Clear

Patent Number

5,931,873

Title of invention

PROGRAMMABLE MOBILE DEVICE WITH THUMB WHEEL

Reissue application number (if known)

09/921,103

The ribboned original patent grant is lost or inaccessible.

Signature

Typed or printed name

Glenn Frankenberg

Date

10/23/03

Title (e.g., inventor(s), officer of assignee)

Corporate Counsel, Symbol Technologies, Inc.

This collection of information is required by 37 CFR 1.178. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/06 (08-09)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: James M. CisarApplication No./Patent No.: 09/921,103Filed/Issue Date: August 2, 2001Entitled: PROGRAMMABLE MOBILE DEVICE WITH THUMB WHEEL

Symbol Technologies, Inc.

a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: James M. CisarTo: Telxon Corporation

The document was recorded in the United States Patent and Trademark Office at  
Reel 8291, Frame 0909, or for which a copy thereof is attached.

2. From: Telxon CorporationTo: Symbol Technologies, Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel 012795, Frame 0070, or for which a copy thereof is attached.

3. From: \_\_\_\_\_

To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10/23/03

Date

631-738-5570

Telephone number

Glen Frankenberger

(Typed or printed name)

Signature

Corporate Counsel

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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